



“The City With a Heart”

Larry Franzella, Mayor
Rico E. Medina, Vice Mayor
Ken Ibarra, Councilmember
Irene O’Connell, Councilmember
Jim Ruane, Councilmember

CITY COUNCIL REGULAR MEETING

MINUTES

November 14, 2006

7:00 p.m.

THIS IS TO CERTIFY THAT: The San Bruno City Council met in regular session on November 14, 2006 at the San Bruno Senior Center, 1555 Crystal Springs Road, San Bruno. The meeting was called to order at 7:07.

Mayor Franzella thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

1. ROLL CALL: Presiding was Mayor Franzella with Vice Mayor Medina and Councilmembers Ruane, Ibarra, O’Connell in attendance. Recorded by City Clerk Bonner.

PLEDGE OF ALLEGIANCE: Led by Finance Director O’Leary.

ANNOUNCEMENTS:

- a. **Mayor Franzella** apologized for the delay of the Council Meeting due to the closed session meeting with no reportable item.
- b. **Mayor Franzella** announced the 10th Annual “**Coats for Kids**” program distribution will take place at the Volunteer Firemen’s Hall, 618 San Mateo Avenue on Friday, November 17, 2006, from 3 to 6:00 p.m.

PRESENTATIONS: None.

2. REVIEW OF AGENDA: **Mayor Franzella** moved Item 12.a. to follow Item 5.a.

3. APPROVAL OF MINUTES: Regular City Council meeting of October 24, 2006, Special Council Meetings of October 24 and October 28, 2006. **Vice Mayor Medina** asked that Item 13. New Business be corrected to ask staff if we have something in place or are we going to get something in place to be proactive in recycling when our halls are rented out in hopes to achieve the 50% we need to get. The remainder of the minutes stand approved as submitted.

4. CONSENT CALENDAR:

- a. **Approve:** Payroll of October 20 and November 3, 2006.
- b. **Approve:** Accounts Payable of October 16 and 23, 30 and November 6, 2006.
- c. **Waive:** Second Reading and Adopt Ordinance Amending Subsection C (7) of Section 4.36.090 (Operations Regulations) of Chapter 4.36 (Gambling Clubs) to Title 4 (Licenses and Regulations) of the San Bruno Municipal Code Stating that No Maximum Wagering Limit is Imposed on Games at the Gambling Club.

- d. **Approve:** Adopt Resolution of Intention to Amend the Classification Plan of the Personnel Rules and Regulations to Adopt the Job Description for Parks and Facilities Manager.

M/S Ibarra/Medina to approve the Consent Calendar, passed unanimously.

5. PUBLIC HEARINGS:

- a. Receive Report on Proposed Single Stream Recycling Program and Hold Public Hearing, Waive First Reading, and Introduce Ordinance Containing a Proposed 2.73% Rate Increase Requested by San Bruno Garbage Company to be Effective on January 1, 2007.

City Manager Jackson said there were two parts, information from Mario Puccinelli of San Bruno Garbage, subsequently, Finance Director O'Leary will talk about the Rate Increase. She noted a solid waste rate increase is done by ordinance of the City Council and requires two actions and two separate meeting agendas.

Mario Puccinelli, San Bruno Garbage Company reviewed the background information on single stream recycling. He gave a power point presentation and explained single stream recycling involves all recycled items going in one container on wheels. He explained this system would be more cost-efficient, cleaner and increase the amount of recyclables. Phase I will roll out in January with a sampling of approximately 500 homes. Eight weeks into the first phase, participants will be surveyed. Phase II will be an update to Council with the results of the survey. The success of the program relies on publicity and outreach. Phase III is a citywide implementation in the spring of 2007 when the recycling totes will be distributed to the residents of San Bruno. Old recycling bins may be kept by the residents to be used as they please or they can be returned to the garbage company. The final phase is the purchase of five new split-bodied collection vehicles with an anticipated date of July of 2008.

Councilmember Ibarra referred to the 500 homes in the case study and asked about businesses and multi-residential dwellings that don't achieve the type of recycling desired?

Mario Puccinelli some commercial businesses will be included; however, he was uncertain as to any large multi-residential dwellings included in the first phase.

City Manager Jackson said the City is required to produce a 50% diversion rate through a recycling program per AB 939. Non-compliance could lead to strict fines from the State.

Finance Director O'Leary said San Bruno Garbage is asking for a rate increase in January 1, 2007 because of the increased cost they would incur because of the depreciation costs of the 11,000 totes they need to acquire and the revenue generated from recycled materials will be reduced based on the fact they will no longer be commingled. In addition, if Council accepts single stream and a rate increase, they have asked for an extension of their franchise agreement to ten years, which will come back to Council at the next meeting.

Councilmember Ruane said since we will be a lot more efficient why is there a cost increase. Also, since San Carlos is retooling, will that give us an opportunity to bring more revenue to the City to the ratepayers to offset this increase down the road.

Finance Director O'Leary replied he did not believe the South Bay conversion would take place until around 2009 or 2010. The company is showing there will be additional depreciation expense that will enter into the calculation. The revenue generated in the immediate implementation will be

reduced. Next year, during the normal rate adjustment, the rate would be adjusted either up or down based on what the reality is.

Councilmember Ruane clarified he wanted a clear understanding for the folks listening in at home.

Finance Director O’Leary reiterated their projection is there will be a reduction in revenue during implementation.

Councilmember O’Connell asked isn’t more revenue received per tonnage with split recycling because they are not commingled? She said while the efficiency goes up and participation of residents goes up, the sum total is a slight decrease in short-term and a leveling off in long-term. She attempted to address Councilmember’s Ruane’s concerns.

Councilmember Ruane said a person sitting at home thinks they will be doing a lot more recycling and the outcome should be more revenue.

Councilmember Ibarra said there would be one less truck on the street, less time, less gas, less labor; is this all factored into the rate?

Finance Director O’Leary said the reduction of one truck wouldn’t take place for eighteen months, so those efficiencies will not be gained within the first year of the program.

Councilmember Ibarra said the 52 cents increase per household goes to pay for the toters plus the five new trucks over the eighteen-month period.

Finance Director O’Leary concurred.

Vice Mayor Medina understood that once the program is in full implementation there should be a savings that can be passed on to our citizens.

Finance Director O’Leary said the 52 cents is the increase that would be seen on a residential bill for a household that has a 32-gallon toter.

Mayor Franzella clarified by saying the homeowner who has a 32-gallon toter will go up 52 cents, which include their garbage tote, current yard waste tote plus a new 64-gallon recycle bin.

Mayor Franzella opened the Public Hearing.

Alan Lubke, Fleetwood Dr., made the suggestion that the toter be a more neutral color.

M/S Ruane/Ibarra to close the public hearing and passed with all ayes.

Mayor Franzella asked **Mario Puccinelli** what colors were available and Mario said he would come back with options.

M/S Ruane/O’Connell to waive the first reading and passed with all ayes.

Councilmember Ruane introduced the ordinance for adoption and passed unanimously with a roll call vote.

Mayor Franzella pointed out they had accepted the proposed rate increase, waived the first reading but in order to meet their requirements of the program we need to allow the extension of the option which will be at the next Council meeting.

Councilmember Ibarra added the rates would not go up until January 1 and when could the residents anticipate a different color totter. **Mario Puccinelli** replied Spring 2007 citywide, first phase in January 2007.

Vice Mayor Medina and Councilmember Ibarra asked how the residents would know. **Mario Puccinelli** said a notice would be put on all the cans and communication in the billing.

12. Receive Annual Report from the Redevelopment Advisory Committee (Moved)

Ed Hoff, Redevelopment Advisory Committee Member gave an overview of the Committee members and did a slide presentation on the many accomplishments the Committee has done on San Mateo Avenue over the last year.

Mayor Franzella thanked the Committee for their good work.

6. UNFINISHED BUSINESS: None.

7. CALL FOR, PRESENTATION OF BIDS, AND AWARD OF CONTRACT

- a. Adopt Resolution Authorizing the City Manager to Execute a Contract with Utility Service Co., Inc. for the Water Tank Seismic/Ladder Retrofit Project in the Amount of \$246,000, and Authorizing a Total Construction Budget in the Amount of \$283,000.

Engineer Davis gave a short overview of the staff report with a power point presentation and asked for approval to authorize construction for the first phase which will be initiated in January.

Councilmember Ibarra asked Engineer Davis to explain how this was being paid.

Engineer Davis said it was fully funded from the water services enterprise, through the rates people pay for their water.

Councilmember Ibarra introduced the resolution and passed with a unanimous vote.

- b. Receive Report on the Cable Television Digital Simulcast Capital Improvement Project, and Adopt Resolution Authorizing the City Manager to Execute a Purchase Order in the Amount of \$1,860,000 for 20,000 DCT-700 Digital Set-Top Boxes.

Systems Engineer Johnson presented the staff report from the Cable Department.

Councilmember Ruane asked Systems Engineer Johnson to explain to the public why 83 channels are not enough and what is meant by compression?

Systems Engineer Johnson said by going all-digital, an analog channel can be compressed into eight channels up to twelve channels in one channel, so with 83 channels, there could be over 800 channels. Presently we are out of channel capacity and we need this capacity to be competitive.

Finance Director O’Leary said funding for the digital simulcast portion of the project is currently funded in the capital improvement budget, what is not funded is the additional purchase of the boxes on an accelerated basis rather than the anticipated pay as you go over a number of years. 1.8 million dollars would drain the City’s budget so he suggested outside financing over a five year period with no pre-pay penalty, with the hope that the loan can be paid down in as little as three years.

Systems Engineer Johnson asked Council approve the digital simulcast project and authorize the City Manager to Execute a Purchase Order of \$1,860,000 for 20,000 DCT-700 Digital Set-Top Boxes and Remote Controls.

Vice Mayor Medina asked, for the viewing public, why the need for this unique financing, why the pressure, how come we didn’t see this coming.

Systems Engineer Johnson said Motorola notified Cable a couple of months ago they would be cancelling all their integrated set-top boxes. All the major makers are discontinuing making these set-top boxes. This is a big savings to the customer by purchasing now.

Councilmember Ibarra said Comcast is aggressively promoting their services and he said he understood the need; however, he wanted to know what the viewer is going to anticipate?

Systems Engineer Johnson said by receiving this box, 8000 customers will get the interactive TV Guide, plus they will have access to video on demand, options to purchase movies, digital and a much smaller box.

Councilmember Ibarra said there were great advantages to digital.

Vice Mayor Medina asked if there was an additional fee for the homeowner is the box simple and is there technical support and when do they have to take this box.

Systems Engineer Johnson said they won’t be required to take a box right away, but the long-term plan is to go 100% digital. There will be no charge for the first two boxes.

Cable Director Gyaltsen said the box is very easy to operate, simple to install with instructions being distributed with the boxes. If they need additional help, Cable will go out and install.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

8. COMMUNICATIONS: None.

9. STAFF REPORTS:

- a. Receive Presentation on FY 2006-07 First Quarterly Financial Report as of September 30, 2006 for General Fund, Special Revenue Funds, and Enterprise Funds Budget.

Finance Director O’Leary presented the staff report from the Finance Department.

- b. Receive Report and Recommendation Regarding Modifications to the San Bruno Municipal Code Regarding Temporary Uses.

City Attorney Thompson in a follow-up to the September 12 Council Meeting, gave an overview of the staff’s report and recommendation and asked Council to come back with an ordinance.

Councilmember Ibarra asked why temporary land use sites were being discussed.

City Attorney Thompson replied Community Development might want to respond. Apparently this issue has come up not with construction sites, but things like the PG&E project where there was no staging area.

Councilmember Ibarra said he thought this is discussed through the planning process.

City Attorney Thompson said projects like that didn't come before Council or the Planning Commission; they were handled through the SF PUC.

Mayor Franzella said this would give Council the opportunity to say this is the process to set up your staging, you have to go through Planning Commission, the same process as anyone else affording the public to give comment.

City Attorney Thompson said we wouldn't control the project but we would have a say in the staging.

Councilmember Ibarra said on temporary uses, there should be some form of notification.

City Attorney Thompson said when handled at an administrative level, there is a process associated with it and there should be some type of notice given to adjacent neighbors.

Councilmember Ibarra pointed out that was why there are ordinances for different types of situations.

Mayor Franzella asked if it were done administratively, would notices of proposed action be sent out to a specific area with so many days to object.

City Attorney Thompson concurred.

Mayor Franzella said City Attorney Thompson had concurrence to move forward.

- c. Adopt Resolution Accepting 2006 Department of Homeland Security Assistance to Firefighters Grant in the Amount of \$29,591 for Purchase of Emergency Medical Services Jackets and Wildland Fire Shelters.

Fire Chief Voreyer briefly reviewed the staff report and said the Assistance to Firefighters Grant Program is made available annually nationwide. The program started in 2002 and San Bruno Fire Department has been awarded a grant in three of last five years. He recognized Joe Telles for researching this grant and coordinating the process.

Councilmember Ibarra thanked the Fire Department and asked if this made front page of the local paper.

Fire Chief Voreyer concurred.

Councilmember Ibarra introduced the resolution to accept the grant and passed with all ayes.

- d. Adopt Resolution Authorizing Immediate Expenditure of Public Money by City Manager to Safeguard Life, Health, Property or Essential Public Services During Emergencies.

City Attorney Thompson asked authorization be given to the City Manager to expend public money in the event of an emergency. While the City Council still maintains control; the City Manager

must report such action back to Council within seven days of an action or at the next regularly scheduled Council meeting within fourteen days of the action.

Councilmember Ruane introduced the resolution for adoption and passed with all ayes.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None.

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Alan Lubke, Fleetwood Ln. addressed his concerns regarding the big dip on Westborough Avenue near Skyline Blvd. and the Directional Arrows on Sharp Park Road at the Intersection with Skyline Blvd. He also asked about the cancelled Committee meetings because of a lack of quorum.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: (Moved to follow 5a.)

13. NEW BUSINESS:

- a. Approve Annual Reorganization of the City Council and Appointment of Vice Mayor to serve a One-Year Term.

M/S Medina/O'Connell to appoint Councilmember Ibarra to serve a one-year term and passed with a unanimous vote.

Mayor Franzella congratulated Councilmember Ibarra and thanked Vice Mayor Medina for his work throughout the year.

- b. Receive Oral Report from the City Clerk on Attendance at the City Clerk's Association Nuts and Bolts Seminar.

City Clerk Bonner thanked Council for the opportunity to attend the Nuts and Bolts Seminar.

Councilmember Medina said in the past there were crime stats that were issued monthly that gave the month in review as opposed to a year ago of that same month. He said he served on a committee that offered those and there were copies to the Mayor and Council. He asked if they were still issued and if staff could reimplement them.

Mayor Franzella said they would go into closed session with no reportable information to come from that and wished everyone a happy thanksgiving. The meeting was adjourned at 8:58 p.m.

Closed Session:

- a. The Human Resources Director as the City's Negotiator Requests a Closed Session Pursuant to Cal.Gov't Code Section 4957.6 Regarding Direction for Labor Negotiations for the Police and Fire Bargaining Units.

14. ADJOURNMENT: The next regular City Council meeting will be held on November 28, 2006, 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Respectfully submitted for approval
at the regular City Council Meeting of
November 28, 2006

Carol Bonner, City Clerk

Larry Franzella, Mayor